

REMARKS

The Office Action dated April 22, 2008, has been received and carefully reviewed. Claims 1, 39 and 43 are amended. Support for these amendments can additionally be found in paragraphs [0021], [0022], [0050], [0056], and [0062] of the specification, in original claims 6 and 46, as well as in Figs. 3b, 3c and 5. No new matter is added. Claims 1-69 are pending in the application.

In response to the restriction requirement, Applicant hereby elects, with traverse, to prosecute group 1A, claims 2-6, drawn to a method of claim 1, further including particulars of data record. Accordingly, claims 1-6, 51-53, 55, 56, 58, 59, 61, 62, 63, 65 and 68 must be examined.

Additionally, Applicant submits that the restriction requirement is improper for the following reasons:

Under Rule 13.1 PCT of a single invention or a group of inventions must be linked together by a common inventive concept. This rule can only apply to claims that depend from a single claim (here, claim 1 for group 1A to group 1K), if the subject matter of that single claim (e.g., claim 1) would be known from prior art (or at least be non-inventive in view of the prior art). However, the Office Action fails to make an assertion that the subject matter of claim 1 is not inventive and instead, the Office Action merely points out the subgroups 1A to group 1K each include exclusive special technical features. This position, however, fails to recognize that subgroups 1A to group 1K share the special technical features of claim 1 and therefore, the restriction of subgroups 1A to group 1K is improper.

Notwithstanding the above, claims 1, 39 and 43 have been amended to include the same feature of claim 46 relating to the concept of continuous grating elements and a continuous writing there. By means of these limitations, all independent claims 1, 39, 42 and 46 are now in accordance with Rules 13.1 and 13.2 PCT, since the technical link of this group of inventions is now clearly expressed by a special common technical feature. Thus, the Applicant submits that each of claims 1-69 are directed to a single general inventive concept and requests that the restriction be withdrawn and that claims 1-69 be prosecuted together.

In the event that this paper is not timely filed, the Applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account No. 02-2135.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the Applicant's undersigned attorney at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

Respectfully submitted,

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Date

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